

UNITED STATES DISTRICT COURT
DISTRICT OF MINNESOTA

S&G JANITSCHKE, INC, et al.,

Civil No. 05-2896 (DSD/SRN)

Plaintiffs,

v.

ORDER

COTTMAN TRANSMISSION
SYSTEMS, LLC, ROSS
ADVERTISING, INC., and
TODD P. LEFF,

Defendants.

Ronald K. Gardner, Esq. and David Koob, Esq. on behalf of Plaintiffs

William L. Killion, Esq. on behalf of Defendants

The above-entitled matter comes before the Court upon the Report and Recommendation of United States Magistrate Judge Susan Richard Nelson dated May 19, 2006. No objections have been filed to that Report and Recommendation in the time period permitted.

Based on the Report and Recommendation of the Magistrate Judge, and all of the files, records and proceedings herein,

IT IS HEREBY ORDERED that:

1. Defendants' Motion to Dismiss or, in the Alternative, to Transfer Venue (Doc. No. 3) is **GRANTED in part and DENIED in part** as follows:

- a. The motion is denied in all respects as to the Minnesota, Iowa, and Illinois plaintiffs and their claims;
- b. The motion is granted to the extent that the Clerk of Court is

ordered to transfer the case, **except for the claims of the Minnesota, Iowa, and Illinois plaintiffs**, to the Eastern District of Pennsylvania;

- c. The motion is granted to the extent that the individual defendant Todd P. Leff is ordered dismissed from the case for lack of personal jurisdiction;
- d. Defendant's Rule 12(b)(6) motion is denied without prejudice; and
- e. Any other relief requested by Defendants is denied.

Dated: June 8, 2006

s/David S. Doty
DAVID S. DOTY
United States District Court Judge